

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Eisenberg Gold & Agrawal, P.C.

1040 Kings Hwy N #200

Cherry Hill, NJ 08034

(856) 330-6200

Attorney for : Mercedes-Benz Financial Services USA

Our File No.: MB-658-C



Order Filed on September 6, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:

Nimeshkum S. Patel

Shital M. Patel

Case No.: 24-11166

Hearing Date: 8-7-24

Judge: RG

Chapter: 13

Recommended Local Form

☒ Followed

☐ Modified

ORDER GRANTING MOTION FOR RELIEF FROM STAY

The relief set forth on the following page is hereby **ORDERED**.

DATED: September 6, 2024

A handwritten signature in black ink, reading "Rosemary Gambardella".

Honorable Rosemary Gambardella
United States Bankruptcy Judge

Upon the motion of Mercedes-Benz Financial Services USA LLC, under Bankruptcy Code sections 362(d) and 1301 for relief from the automatic stay and co-debtor stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the motion is granted and the stay and co-debtor stay are terminated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☐ Real property more fully described as:

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff's sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the property at sheriff's sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.

☒ Personal property more fully described as:

2018 Mercedes-Benz GLE350W4 bearing vehicle identification number
4JGDA5HB8JB117702

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

It is further ORDERED that the movant shall be permitted to reasonably communicate with Debtor(s) and Debtor(s)' counsel to the extent necessary to comply with applicable non-bankruptcy law.

It is further ORDERED that the Trustee is directed to cease making any further distributions to the Creditor.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.

In re:
Nimeshkum S. Patel
Shital M. Patel
Debtors

Case No. 24-11166-RG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2 User: admin Page 1 of 2
Date Rcvd: Sep 06, 2024 Form ID: pdf903 Total Noticed: 1

The following symbols are used throughout this certificate:
Symbol **Definition**
+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 08, 2024:

Recip ID	Recipient Name and Address
db/jdb	+ Nimeshkum S. Patel, Shital M. Patel, 1 Saw Mill Drive, Somerset, NJ 08873-7362

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).
NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.
NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 08, 2024 Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 6, 2024 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor MIDFIRST BANK dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Jerrold S. Kulback	on behalf of Creditor CM Ventures Holdings LLC jkulback@archerlaw.com ahuber@archerlaw.com
Marie-Ann Greenberg	magecf@magtrustee.com
Paul Evangelista	on behalf of Joint Debtor Shital M. Patel pevangelista@scura.com pselawpc@gmail.com;dstevens@scura.com;ecfbkfilings@scuramealey.com;jromero@scura.com;vmajano@scura.com;spereyra@scura.com;dwoody@scura.com
Paul Evangelista	on behalf of Debtor Nimeshkum S. Patel pevangelista@scura.com

District/off: 0312-2

User: admin

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Date Rcvd: Sep 06, 2024

Form ID: pdf903

Total Noticed: 1

pselawpc@gmail.com;dsteven@scura.com;ecfbkfilings@scuramealey.com;jromero@scura.com;vmajano@scura.com;spereyra@scura.com;dwoody@scura.com

Rebecca K. McDowell

on behalf of Creditor TD Bank N.A. rmcdowell@slgcollect.com, anovoa@slgcollect.com

Robert H. Yu

on behalf of Creditor Woori America Bank Ryu@RobertYuLLC.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

William E. Craig

on behalf of Creditor Mercedes-Benz Financial Services USA LLC wcraig@egalawfirm.com
mortoncraigecf@gmail.com;alapinski@egalawfirm.com

TOTAL: 9